

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA

Plaintiff,

vs.

JOSHUA LARSEN,

Defendant.

**4:08CR3138**

**MEMORANDUM AND ORDER**

The defendant has failed to meet the burden of showing, by clear and convincing evidence pursuant to 18 U.S.C. § 3153 (a) and Fed. R. Crim. P. Rule 32.1(a)(6) that defendant is not likely to fail to appear or pose a danger to the safety of any person or the community. The Court's findings are based on the evidence presented in court and contained in the court's records, including the defendant's relapse following completion of drug treatment combined with his prior conduct of operating a motor vehicle while under the influence of alcohol.

IT IS ORDERED:

- 1) The above-named defendant shall be detained until further order.
- 2) The defendant is committed to the custody of the Attorney General for confinement in a corrections facility; the defendant shall be afforded reasonable opportunity for private consultation with counsel; and on order of a court of the United States, or on request of an attorney for the government, the person in charge of the facility shall deliver the defendant to a United States Marshal for appearance in connection with a court proceeding.

July 26, 2012.

BY THE COURT:

s/ Cheryl R. Zwart

United States Magistrate Judge